

short term duration that have as their primary objective the promotion of Maori language and culture should be facilitated; and

(d) That new sound radio broadcasting services (other than services for which you are required by section 95 of the Broadcasting Act 1989 to grant radio apparatus licences) should be provided for on a short-term basis only; and

(e) That, in respect of the frequencies specified in the Fifth and Sixth Schedules to the Act and frequencies used for the purposes of point to multi-point distribution systems in the ranges of frequencies 2.3 GHz to 2.5 GHz and 11.7 GHz and 12.2 GHz, no new users should be given radio apparatus licences; and

(f) That there should be competition in telecommunications markets and that the granting of radio apparatus licences should promote such competition.

Pursuant to the above policies I hereby direct you as follows:

Television Broadcasting

(a) That you shall not grant new radio apparatus licences for VHF television broadcasting services except in relation to frequencies in the ranges 44.00 MHz to 51.00 MHz, 54.00 MHz to 68.00 MHz and 174.00 MHz to 230.00 MHz where the granting of such licences is necessary for the purpose of—

(i) Maintaining the coverage of the services known as TV1, TV2 or TV3 as at 1 December 1989; or

(ii) Extending the coverage of the services known as TV1, TV2 or TV3 to communities that would otherwise not receive a commercially viable service; or

(iii) Giving effect to any decision of the Broadcasting Tribunal relating to the assignment of frequencies between the services known as TV1, TV2 or TV3; or

(iv) Implementing any technical modifications in the transmission of any of the services known as TV1, TV2 or TV3; and

(b) That you shall not grant new radio apparatus licences for UHF television broadcasting services except—

(i) In relation to frequencies in the range 582.00 MHz to 646.00 MHz where the granting of such licences is necessary for the purpose of—

(A) Maintaining the services provided by existing licensees in relation to those frequencies; or

(B) The development of new television broadcasting services, the primary objective of which is the promotion of Maori language and culture, where transmissions of such services are limited to no more than 3 months; or

(C) The development of new television broadcasting services undertaken otherwise than for profit, where transmissions of such services are limited to no more than 3 months; or

(D) Establishing translators for the services known as TV3 at Paeroa Range, Ngarara, Porirua, and Towai; or

(ii) In relation to frequencies in the ranges 518.00 MHz to 582.00 MHz and 646.00 MHz to 806.00 MHz where the granting of such licences is necessary for the purpose of—

(A) The provision of television broadcasting services covering special events of national or local interest where the duration of any such service is limited to the duration of the relevant event (but in no case exceeding 21 days), and no advertising programmes are to be broadcast in the course of broadcasting the service; or

(B) The testing of equipment for proposed television broadcasting services by persons intending to tender for frequencies when such frequencies are registered pursuant to Part II of the Act; and

Sound Radio Broadcasting

(c) That you shall not issue new licences for sound radio broadcasting except in the following cases:

(i) In relation to New Zealand originated short wave sound radio broadcasting services in the range of frequencies 2360 kHz to 26,100 kHz where the broadcast or transmission of those services is not inconsistent with the foreign policies of the Government of New Zealand; and

(ii) In relation to frequencies within the ranges of frequencies specified in the Fourth Schedule to the Act for the purposes of:

(A) Broadcasting by any body or organisation specified in the Seventh Schedule of the Act being transmissions on the frequency and from the location specified in that Schedule in relation to that body or organisation; or

(B) Development of new sound radio broadcasting services the primary objective of which is the promotion of Maori language and culture, and where the duration of such services are limited to no more than 3 months duration; and

(iii) Other transmissions, where frequencies are available:

(A) For short term sound radio broadcasting services covering special events of national or local interest or to further charitable purposes, where the duration of any such service is limited to no more than 3 months; or

(B) Short term sound radio broadcasts relating to any other purpose, where the duration of the services is limited to no more than 3 months; and

Telecommunications

(d) That you shall not grant radio apparatus licences in respect of cellular telephone services uses except to the incumbent of the AMPS B Band as defined in section 154 of the Act for the use of the frequencies specified in the Fifth Schedule to the Act; and

(e) That you shall not grant radio apparatus licences in respect of 2 Frequency Land Mobile frequencies specified in the Sixth Schedule to the Act in relation to channels (as defined in the Act) for which radio apparatus licences have not been granted prior to 18 December 1989; and

(f) That you shall not grant radio apparatus licences in respect of frequencies used for the purposes of point to multi-point distribution systems in the ranges of frequencies 2.3 GHz to 2.5 GHz and 11.7 GHz to 12.2 GHz.

Application of this notice

You shall comply with the directions set out above in relation to all applications for radio apparatus licences, including—

(a) Applications made before the date of this notice but not dealt with before that date; and

(b) Applications made pursuant to Part II of the Telecommunications Act 1987 after the close of 23 November 1989 but not dealt with before the date of this notice.

Revocation of previous notices

The following statements of Government policy given by me pursuant to regulation 13 of the Radio Regulations 1987 are hereby revoked:

— “Statement of Government Policy Relating To Telecommunications” dated 31 March 1989 and published in the *Gazette* of 6 April 1989 at page 1432; and

— “Statement of Government Policy Relating To Broadcasting” dated 26 June 1989 and published in the *Gazette* of 29 June 1989 at page 2822.

DAVID at Wellington this 20th day of December 1989.

DAVID BUTCHER, Minister of Commerce.

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